



Department of Pesticide Regulation



Mary-Ann Warmerdam
Director

Arnold Schwarzenegger
Governor

April 28, 2009

Mr. Henry Gonzales
Ventura County Agricultural Commissioner
815 East Santa Barbara Street
Santa Paula, California 93060

Dear Mr. Gonzales:

As you know, volatile organic compounds (VOCs) contribute to the formation of ozone, a major air pollutant. Under the federal Clean Air Act, the Department of Pesticide Regulation (DPR) tracks and reduces VOC emissions from pesticides. Title 3, California Code of Regulations (3 CCR) section 6452.2(c) requires DPR to establish a field fumigant VOC emission limit for the Ventura nonattainment area during the May–October 2009 period by subtracting the nonfumigant emissions from the benchmark (fumigant + nonfumigant emissions) of 4.030 average tons/day. DPR has established a fumigant limit of 3.602 average tons/day (1,325,000 pounds) based on the estimate of 2007 nonfumigant emissions of 0.428 average tons/day. As specified in 3 CCR section 6452.3, the fumigant limit is enforced through emission allowances issued to growers. The county agricultural commissioners enforce the emission allowances as conditions included on restricted materials permits.

For the May–October 2009 period, DPR received field fumigant emission allowance requests for 2,355,233 pounds of VOCs for the Ventura nonattainment area. The requests exceed the field fumigant emission limit of 1,325,000 pounds by 178 percent. The field fumigant emission allowances must not exceed 56.258 percent of the requested amounts to comply with the field fumigant emission limit. Enclosed is a listing of each permittee and his/her specific field fumigant emission allowance, as well as a description of the method DPR used to determine the allowances and an evaluation of the requests. As specified in 3 CCR section 6452.3(d), you must include the emission allowance as a condition of the restricted materials permit for each permittee listed.

For the May–October period, you should establish a system to maintain a running total of VOC emissions for every fumigation as they occur. DPR staff have developed an Excel file (on attached CD-ROM) to assist you with tracking the VOC emissions as well as tracking revoked/returned allowances and any supplemental allowances that may be issued. As specified in 3 CCR section 6452.3(e), you must deny any notice of intent that does not comply with the fumigant emission allowance.



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Thank you for your assistance. If you have any questions, please contact Mr. Randy Segawa, Environmental Program Manager, at 916-324-4137, or <rsegawa@cdpr.ca.gov>.

Sincerely,

Original signed by

Christopher W. Reardon
Chief Deputy Director
916-445-4000

Enclosure

cc: Ms. Mary-Ann Warmerdam, DPR Director (w/o Enclosure)
Ms. Polly Frenkel, DPR Chief Counsel (w/o Enclosure)
Mr. Randy Segawa, DPR (w/o Enclosure)
Mr. James Shattuck, DPR Agricultural Commissioner Liaison (w/o Enclosure)